

REMARKS

Claims 17 and 39 were objected to because of informalities. Claims 17, 18, 20, 24 and 38 to 40 were rejected under 35 U.S.C. 102(b) as being anticipated by Mizuno et al. (U.S. Pub. 2002/0012827). Claims 21 to 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Mizuno et al. as applied to claim 17, in view of Iwase et al. (U.S. Patent 6,245,453). Claim 25 was rejected under 35 U.S.C. 103(a) as being unpatentable over Mizuno et al., as applied to claim 17, in view of Kearn (U.S. Pub. 2003/0022052).

Request for reconsideration of the present application in view of the foregoing amendments and the following remarks is respectfully requested.

Examiner Interview Summary

Applicants' representative, Mr. Clint Mehall, Reg. No. 62,380 spoke with Examiner Rademaker on September 13, 2010 concerning the rejection of claim 17. Mr. Mehall indicated that Mizuno et al. does not disclose "an inlet port coupled to the source of fresh operating substances and at least one of the exit port of the first field and the entry port of the second field for introducing fresh operating substances into the at least one of the anode-side gas distributor structure and the cathode-side gas distributor structure so that the fresh operating substances mix with the reactants that are depleted in the first field and form a mixture that passes into the second field" as recited in claim 17. Examiner Rademaker reviewed the application and agreed that Mizuno et al. did not disclose this feature of claim 17. Applicants' representatives sincerely thank Examiner Rademaker for her courtesy during the interview.

Claim Objections

Claims 17 and 39 were objected because of informalities.

The Office Action objected to claim 17 as including incorrectly marked amendments. Applicants respectfully point out that the limitation "an inlet port coupled to the source...that passes into the second field" (claim 17, lines 12 to 16) was added to the claim correctly by underlining in the response dated September 8, 2009 to the Office Action of June 24, 2009.

Claim 39 was objected to for reciting "the guide inlet port" instead of "the inlet port." Claim 39 has been amended to correct this inconsistency.

Thus, withdrawal of the objection to claims 17 and 39 is respectfully requested.

Rejections under 35 U.S.C. 102(b)

Claims 17, 18, 20, 24 and 38 to 40 were rejected under 35 U.S.C. 102(b) as being unpatentable by Mizuno et al.

In view of the above Examiner Interview Summary, withdrawal of the rejection under 35 U.S.C. 102(b) of claim 17 and its dependent claims 18, 20, 24 and 38 to 40 is respectfully requested.

Rejections under 35 U.S.C. 103(a)

Claims 21 to 23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Mizuno et al. in view of Iwase et al. Claim 25 stands rejected under 35 U.S.C. 103(a) as being unpatentable as obvious over Mizuno et al. in view of Kearn (U.S. Pub. 2003/0022052).


Claims 21 to 23 and 25 are dependent on claim 17. In view of the above remarks with respect to claim 17, withdrawal of the rejection under 35 U.S.C. 103(a) of claim 25 is respectfully requested.

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 
William C. Gehris
(Reg. No. 38,156)

Davidson, Davidson & Kappel, LLC
485 Seventh Avenue
New York, New York 10018
(212) 736-1940